

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: T. Chio
AKIRA SUGA, et al.	)	
	:	Group Art Unit: 2621
Application No.: 10/829,366	)	
	:	
Filed: April 22, 2004	)	
	:	
For: RECORDING APPARATUS,	)	
REPRODUCING APPARATUS,	:	
RECORDING METHOD,	)	
AND REPRODUCING METHOD	:	June 6, 2008

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

Applicants herein have reviewed the Examiner's Statement of Reasons For Allowance for the above-identified application, as stated in the Notice of Allowability dated May 21, 2008.

The reasons are understood by Applicants to apply primarily to Claim 28, which tracks nearly identically the language cited by the Examiner.

However, the reasons are not seen to apply to allowed Claims 39, 40 and 41, since these claims do not track the specific language cited by the Examiner. For example,

Claims 39, 40 and 41 recite an attribute data holding step, whereas the reasons only recite a attribute data holding means.

Accordingly, it is Applicants' understanding that Claims 39, 40 and 41 were allowed based on the claimed subject matter thereof, when considered as a whole. On the other hand, if the Examiner did, in fact, intend for the Statement to apply to Claims 39, 40 and 41, then he is respectfully encouraged to state such for the record.

Pursuant to 1247 O.G. 111 entitled "Clarification of 37 C.F.R. § 1.704(c)(10) - Reduction of Patent Term Adjustment For Certain Types of Papers Filed After a Notice Of Allowance Has Been Mailed", this paper is not considered a failure to engage in reasonable efforts to conclude prosecution (processing or examination) of the application, and Applicants should not be penalized for term adjustment even though this paper is filed after allowance.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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